

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**SIGNIFICANT NPDES PERMITS, WDRs,
AND REGIONAL BOARD ACTIONS**

February 9, 2005

APPENDED TO EXECUTIVE OFFICER REPORT

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DATE OF REPORT FEBRUARY 9, 2005	ACTION TYPE	Dish/RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
MAY 11, 2005 RB MEETING								
ENCINA WASTE WATER AUTHORITY CARLSBAD ENCINA OCEAN OUTFALL	NPDES Permit Renewal	80%	0%	0%	May 11, 2005		NPDES Workplan FY 2004-05	Kelley
CITY OF ESCONDIDO BRINE WASTE DISCHARGE TO SAN ELIJO OCEAN OUTFALL	New NPDES Permit	80%	0%	0%	May 11, 2005	Yes	NPDES Workplan FY 2004-05	Kelley
SAN DIEGO PORT DISTRICT FISH FISH SORTING SAN DIEGO BAY	NPDES Permit Renewal	100%	0%	0%	May 11, 2005		NPDES Workplan FY 2004-05	Phillips
JUNE 8, 2005 RB MEETING								
GROUNDWATER EXTRACTION GENERAL PERMIT FOR SAN DIEGO BAY	NPDES Permit Renewal	NA	0%	0%	June 8, 2005		NPDES Workplan FY 2004-05	Phillips
ONE AMERICA PLAZA BLDG. GROUNDWATER DISCHARGE TO SAN DIEGO BAY	New NPDES Permit	50%	0%	0%	June 8, 2005		NPDES Workplan FY 2004-05	Phillips
EMBASSY SUITES HOTEL GROUNDWATER DISCHARGE TO SAN DIEGO BAY	New NPDES Permit	50%	0%	0%	June 8, 2005		NPDES Workplan FY 2004-05	Phillips
SEPTEMBER 12, 2005 RB MEETING								
CITY OF SAN DIEGO SOUTH BAY WATER RECLAMATION FACILITY	NPDES Permit Renewal	90%	0%	0%	September 12, 2005		NPDES Workplan FY 2005-06	Kelley
POSEIDON RESOURCES DESALINATION PROJECT CARLSBAD	New NPDES Permit	80%	0%	0%	September 12, 2005			Phillips
OCTOBER 12, 2005 RB MEETING								
DeJAGER/BOERSMA DIAMOND VALLEY DAIRY RIVERSIDE COUNTY	NPDES Renewal	90%	0%	0%	October 12, 2005		NPDES Workplan FY 2005-06	Phillips
SOUTH BAY BOAT YARD SAN DIEGO BAY	NPDES Renewal	90%	0%	0%	October 12, 2005		NPDES Workplan FY 2005-06	Phillips
DRISCOLL CUSTOM BOATS SAN DIEGO BAY	NPDES Renewal	90%	0%	0%	October 12, 2005		NPDES Workplan FY 2005-06	Phillips
DRISCOLL WEST BOATYARD SAN DIEGO BAY	NPDES Renewal	90%	0%	0%	October 12, 2005		NPDES Workplan FY 2005-06	Phillips
KOEHLER KRAFT BOATYARD SAN DIEGO BAY	NPDES Renewal	90%	0%	0%	October 12, 2005		NPDES Workplan FY 2005-06	Phillips
NIELSEN-BEAUMONT BOATYARD SAN DIEGO BAY	NPDES Renewal	90%	0%	0%	October 12, 2005		NPDES Workplan FY 2005-06	Phillips
KNIGHT & CARVER BOATYARD SAN DIEGO BAY	NPDES Renewal	90%	0%	0%	October 12, 2005		NPDES Workplan FY 2005-06	Phillips

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Unused wastewater plant saved Vista

Site held sewage, averted hefty fines

By Adam Klawonn
UNION-TRIBUNE STAFF WRITER

January 14, 2005

VISTA – A sewage treatment plant the city mothballed in 2001 helped bail Vista out of a smelly jam this week when storm water runoff threatened to flush sewage out onto open ground.

The plant in south Vista, labeled a white elephant by City Hall critics, came to the rescue by allowing crews to pump more than 1 million gallons of raw sewage into it while rains drowned the city's sewer works.

Crews also trucked an additional 200,000 gallons to other facilities.

The treatment plant was built around 1985 by the developers of Shadowridge, an upscale, master-planned community, to treat wastewater to irrigate the golf course there.

Cities rarely have a spare wastewater plant just sitting around, so using it as a storage tank for sewage during heavy rains was unusual, said Larry Pierce, Vista's Engineering and Public Works director.

Escondido does not have such a luxury, and the city faces up to \$2.8 million in fines for dumping about 280,000 gallons of treated sewage into Escondido Creek this week when its main treatment plant was inundated. City officials initially estimated it to be 2 million gallons.

"This is a very unique opportunity that we had to be able to do this or we would have been in the same exact space that Escondido was in, the same situation of high flows that we saw on Tuesday," Pierce said.

The city of Vista avoided not just major overflows but hefty fines by storing

sewage at the Shadowridge plant and trucking the 200,000 gallons to other facilities that had room, Pierce said. The trucking costs were not available, he said.

Crews were sending the sewage back into the system for treatment yesterday.

Vista's approach was permissible, said Brian Kelley, senior engineer with the Regional Water Quality Control Board who monitors the region's sewage plants.

"We would encourage something like that to happen rather than discharge to the creek," he said. "I don't know why they (Escondido) didn't consider alternatives. Those are the questions we will be asking Escondido."

Escondido Public Works Director Pat Thomas said if the city had not discharged treated sewage into Escondido Creek, then raw sewage would have spilled into Lake Hodges.

"We were really maximizing every available option we had before we had a discharge of secondary treated sewage," he said.

Pierce said Vista should be less vulnerable to future sewage overflows because the city is nearly doubling the capacity of one of its oldest sewage facilities, the Raceway pump station on Melrose Drive.

The \$1.5 million project is out for bid and would expand Raceway to handle 1.9 million gallons of sewage a day, he said. The project is scheduled to be complete by Dec. 23.

Raceway's capacity, less than 1 million gallons a day, was not enough to prevent two overflows Jan. 9 to 11 totaling 23,300 gallons, Kelley said, citing preliminary reports from Vista wastewater crews.

Both were handled in contained areas on-site, health officials were notified, and contamination signs were posted, he said. No fines are anticipated.

A third discharge occurred elsewhere Jan. 11, and Vista faces a fine of up to \$15,000 over the incident. Excessive storm water and roots blocked a sewer line near 455 Hillway Drive, causing a 1,200-gallon overflow of raw sewage that sent 500 gallons into the environment, Kelley said.

■Adam Klawonn: (760) 476-8245; adam.klawonn@uniontrib.com

SANITARY SEWER OVERFLOW STATISTICS (Updated through January 31, 2005)

SEWAGE COLLECTION AGENCY	SYSTEM SIZE ^B		NO. OF SEWAGE SPILLS [LISTED BY FISCAL YEAR (FY) - JULY 1 THROUGH JUNE 30]				SPILLS PER 100 MILES (LISTED BY FY)				SPILL VOLUME 2004-05 ^A	
	Miles	MGD	01-02	02-03	03-04	04-05 ^A	01-02	02-03	03-04	04-05 ^A	GAL	GAL/MG ^D
ORANGE COUNTY:												
EL TORO WD	55	2.2	3	1	3	2	5.5	1.8	5.5	3.7	60	0.1
EMERALD BAY SERVICE DISTRICT	6	0.09	0	0	0	1	0.0	0.0	0.0	16.7	350	17.3
IRVINE RANCH WD	36	2.0	0	0	0	0	0.0	0.0	0.0	0.0	0	0.0
LAGUNA BEACH, CITY OF	95	2.4	10	27	8	5	10.5	28.4	8.4	5.3	2,480	4.9
MOULTON NIGUEL WD	530	13.0	2	1	2	2	0.4	0.2	0.4	0.4	12,040	4.3
SAN CLEMENTE, CITY OF	179	4.5	6	7	2	5	3.3	3.9	1.1	2.8	3,173	3.3
SAN JUAN CAPISTRANO, CITY OF	100	3.4	0	0	1	2	0.0	0.0	1.0	2.0	1,635	2.2
SANTA MARGARITA WD	546	10.7	12	4	5	6	2.2	0.7	0.9	1.1	12,024	5.2
SOUTH COAST CWD	132	4.0	5	8	7	4	3.8	6.1	5.3	3.0	2,080	2.4
TRABUCO CANYON WD	43	0.72	0	0	1	2	0.0	0.0	2.3	4.7	1,614	10.4
RIVERSIDE COUNTY:												
EASTERN MWD	421	9.5	1	3	7	0	0.2	0.7	1.7	0.0	0	0.0
ELSINORE VALLEY MWD	80	2.0	0	0	1	1	0.0	0.0	1.3	1.3	8,777	20.3
MURRIETA MWD	25	0.5	E	E	1	0	E	E	4.0	0.0	0	0.0
RANCHO CA WD	71	2.9	2	0	1	1	2.8	0.0	1.4	1.4	900	1.5
SAN DIEGO COUNTY:												
BUENA SANITARY DISTRICT	84	1.9	0	2	1	0	0.0	2.4	1.2	0.0	0	0.0
CARLSBAD MWD	214	7.2	15	6	6	5	7.0	2.8	2.8	2.3	1,427	0.9
CHULA VISTA, CITY OF	400	16.0	6	3	1	4	1.5	0.8	0.3	1.0	1,940	0.6
CORONADO, CITY OF	53	3.8	5	2	5	0	9.4	3.8	9.4	0.0	0	0.0
DEL MAR, CITY OF	30	1.1	2	7	1	0	6.7	23.4	3.3	0.0	0	0.0
EL CAJON, CITY OF	198	9.1	2	3	0	2	1.0	1.5	0.0	1.0	2,090	1.1
ENCINITAS, CITY OF	118	4.1	2	6	1	4	1.7	5.1	0.8	3.4	49,695	56.2
ESCONDIDO, CITY OF	350	10.8	14	3	2	3	4.0	0.9	0.6	0.9	3,350	1.4
FAIRBANKS RANCH COMM SERV DIST	15	0.21	0	0	0	0	0.0	0.0	0.0	0.0	0	0.0
FALLBROOK PUBLIC UTILITY DIST ^C	72	2.0	17	22	9	6	23.6	30.6	12.5	8.3	12,780	29.7
IMPERIAL BEACH, CITY OF	84	2.2	1	14	2	8	1.2	16.7	2.4	9.5	1,040	2.2
LA MESA, CITY OF	155	5.8	12	3	4	2	7.7	1.9	2.6	1.3	3,175	2.5
LEMON GROVE, CITY OF	69	2.4	9	4	4	3	13.0	5.8	5.8	4.3	49,800	95.8

SANITARY SEWER OVERFLOW STATISTICS (Updated through January 31, 2005)

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	Miles	MGD	01-02	02-03	03-04	04-05 ^A	01-02	02-03	03-04	04-05 ^A	GAL	GAL/MG ^D
SAN DIEGO COUNTY (continued):												
LEUCADIA CWD	185	4.2	5	6	1	3	2.7	3.2	0.5	1.6	4,100	4.5
NATIONAL CITY, CITY OF	97	5.1	0	1	2	1	0.0	1.0	2.1	1.0	1,500	1.4
OCEANSIDE, CITY OF, WTR UTIL DEP	446	13.0	17	23	22	9	3.8	5.2	4.9	2.0	2,005	0.7
OLIVENHAIN MWD	16	0.39	1	2	0	2	6.3	12.5	0.0	12.5	825	9.8
OTAY MWD	86	1.4	0	3	1	0	0.0	3.5	1.2	0.0	0	0.0
PADRE DAM MWD	150	5.1	4	3	3	1	2.7	2.0	2.0	0.7	33,000	30.1
PAUMA VALLEY COMM SERVICE DIS	8	0.07	0	0	0	0	0.0	0.0	0.0	0.0	0	0.0
POWAY, CITY OF	170	4.0	1	5	3	0	0.6	2.9	1.8	0.0	0	0.0
RAINBOW MWD	54	0.74	2	2	6	2	3.7	3.7	11.1	3.7	1,725	10.9
RAMONA MWD	83	1.3	5	2	2	1	6.0	2.4	2.4	1.2	1,500	5.4
RANCHO SANTA FE COMM SERV DIST	52	0.44	1	1	0	2	1.9	1.9	0.0	3.9	1,570	16.7
SAN DIEGO CO, PUBLIC WORKS	380	11.0	4	11	2	0	1.1	2.9	0.5	0.0	0	0.0
SAN DIEGO, CITY OF, MWWD	2,894	170	226	193	115	66	7.8	6.7	4.0	2.3	100,253	2.7
SOLANA BEACH, CITY OF	52	1.2	2	1	6	0	3.8	1.9	11.5	0.0	0	0.0
USMC BASE, CAMP PENDLETON	194	3.1	18	23	14	5	9.3	11.9	7.2	2.6	48,250	73.6
US NAVY	123	4.0	24	12	11	8	19.5	9.8	9.0	6.5	3,980	4.6
VALLECITOS WD	202	6.1	4	5	4	3	2.0	2.5	2.0	1.5	21,270	16.1
VALLEY CENTER MWD	48	0.32	0	3	1	0	0.0	6.3	2.1	0.0	0	0.0
VISTA, CITY OF	198	6.5	4	4	7	5	2.0	2.0	3.5	2.5	24,715	17.8
WHISPERING PALMS COMM SERV DIS	17	0.26	1	1	0	0	5.8	5.8	0.0	0.0	0	0.0
REGION 9 TOTAL	9615	363	445	427	275	176					415,123	
AVERAGE ¹							4.6	4.4	2.9	1.8		10
STANDARD DEVIATION ²							5.0	7.0	3.4	3.4		19
MEDIAN ³							2.4	2.4	2.0	1.3		2

^A Includes available preliminary data for July 2004 - January 31 2005, and may not include all spills less than 1,000 gallons that did not enter surface waters or storm drains during this period.

^B As of June 2003.

^C Does not include 11 SSOs in 2000-2001 which occurred from private property but are the responsibility of the Fallbrook PUD according to its own existing policies at the time.

^D Volume of spills for the period in gallons divided by the amount conveyed for the period in million gallons

^E Included with Eastern Municipal Water District

¹ The average is the sum of all values divided by the number of values.

² In a normally distributed set of values, 68% of the values are within one standard deviation either above or below the average value.

³ The median is the middle value in a set; half the values are above the median, and half are below the median.

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres)	MITIGATION	CERTIFICATION ACTION
1/3/2005	Michael Sitto	Sitto Tentative Map	Subdivide 9.77 acres into 14 single-family residential lots.	Unnamed Drainage in Sweetwater H.U.	Streambed (P): 0.04 Wetland (P): 0.02	Onsite enhancement and purchase of credits at Rancho Jamul Mitigation Bank	Conditional
1/6/2005	Keith B. Rhodes Living Trust	Rhodes Crossing	Construction of 112 single family residences, 624 multi-family residences, self-storage, and mixed commercial.	Unnamed Tributaries to Deer Canyon and Penasquitos Creek	Streambed (P): 0.19 Wetland (P): 0.03	Creation credit at 1:1 from existing onsite mitigation.	Conditional
1/6/2005	Cielo Del Norte, LLC	Cielo Del Norte	154 residential lots, two parks, interpretive center, and associated utilities, facilities, and roadways.	Escondido Creek	Streambed (P): 0.07	Creation at 1:1 ratio	Conditional
1/13/2005	Orange County, Dept. of Resources and Development Mgt.	Poche Beach Pedestrian Access Improvement Project	Replace underground stairwell & catwalk east of Camino Real with a raised sidewalk and new stairs & catwalk on the west side.	Prima Deshecha Canada Channel	Concrete streambed (P): 0.005	None required	Low Impact
1/13/2005	California Dept. of Transportation, District 12	Construction on State Highway 73/133 in Laguna Beach	Replacement of an existing compost storm water filter and flood control basin with a detention basin for water quality and a larger, upgraded flood control basin.	Laguna Canyon Channel	Concrete streambed (P): <0.001	None required	Low Impact
1/21/2005	National Audubon Society	Bell, Dove and Tick Creek Pollution Source Control, Water Reclamation, Habitat Restoration & Long-Term Monitoring Project	Modify existing runoff & storm water catchment structures to improve water quality.	Bell, Dove, and Tick Canyons	Wetland (P): 0.06	None required as project is self-mitigating.	Conditional

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION	CERTIFICATION ACTION ²
1/21/2005	Laing Forster Ranch LLC	Forster Ranch Landslide Remediation	Repair of a landslide associated with the Forster Ranch development.	Unnamed Tributary to the Pacific Ocean	None	None	Withdrawn
1/25/2005	City of Aliso Viejo	Wood Canyon Emergent Wetland Project	Construction of an emergent wetland within the existing J02P08 detention basin while retaining flood control functions of the detention basin.	Wood Canyon Creek	Streambed (T): 0.41	Onsite restoration of temporary impacts	Conditional
1/26/2005	The Point Builders	Jamacha Blvd. Road Widening	Widening of road from 2-lane to 4-lane for a one mile stretch.	Hansen Creek to Sweetwater River	Wetland (P): 0.51; (T): 0.1	Creation of 0.51 acre of wetland and enhancement of 1.02 acres of wetland for permanent impacts; enhancement at 2:1 for temporary impacts	Conditional

1. Wetland refers to vegetated waters of the U.S. and streambed refers to unvegetated waters of the U.S. (P) = permanent impacts. (T) = temporary impacts.
2. Low impact certification is issued to projects that have minimal potential to adversely impact water quality. Conditional certification is issued to projects that have the potential to adversely impact water quality, but by complying with technical conditions, will have minimal impacts. Denials are issued when the projects will adversely impact water quality and suitable mitigation measures are not proposed or possible. Time expired refers to projects that may proceed due to the lack of an action by the Regional Board within specified regulatory timelines. Withdrawn refers to projects that the applicant or Regional Board have withdrawn due to procedural problems that have not been corrected within one year.



California Regional Water Quality Control Board ATTACHMENT B-4

San Diego Region

Alan C. Lloyd, Ph.D.
Secretary for
Environmental
Protection

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Arnold Schwarzenegger
Governor

February 1, 2005

In Reply refer to:
WPSU:NA:BACZS

Dear Los Penasquitos, San Dieguito, and San Diego River Watershed Copermittees:

SUBJECT: WATERSHED URBAN RUNOFF MANAGEMENT PLAN TIME EXTENSION REQUEST

The Regional Board received the Cities of El Cajon and Escondido's and the County of San Diego's written requests dated January 2005 for a 45-day time extension for the submittal of the Watershed Urban Runoff Management Plan Annual Report (WURMP) for the Los Penasquitos, San Dieguito, and San Diego River watersheds. Because of the City of San Diego's January 10, 2005 letter stating its abdication of Lead Permittee responsibilities, the new Lead Permittees have requested a 45-day time extension for submittal of their responses to the Regional Board's request for information on improved WURMP Annual Report implementation.

Since the Regional Board has expressed the need for improved WURMP Annual Reports during past submittals, and more recently during meetings in August and September 2004, the request for a time extension is not granted. Following receipt of the WURMP Annual Reports, the Regional Board will assess the provided information and take appropriate action at that time.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions or need more information, please contact Ms. Stacey Baczkowski at (858)637-5594 or by email SBaczkowski@waterboards.ca.gov

Respectfully,

John H. Robertus
Executive Officer

California Environmental Protection Agency

Distribution List:

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Friday, January 14,
2005

ATTACHMENT B-8



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Friday, January 14, 2005

Last modified Friday, January 14, 2005 12:09 AM PST

Amount of sewage presumed spilled lowered

By: QUINN EASTMAN - Staff Writer

ESCONDIDO ---- The amount of treated sewage that was diverted into Escondido Creek on Tuesday was about 280,000 gallons, less than city officials estimated earlier this week, city Public Works Director Patrick Thomas said Thursday.

Waterlogged streets and soil from days of stormy weather forced workers at the city's sewage treatment plant to send treated wastewater into Escondido Creek for a few hours Tuesday. Officials had previously estimated the spill to total more than 2 million gallons.

A spill of 280,000 gallons is about the amount of water in a 25-meter swimming pool.

What Thomas called "infiltration and inflow" caused the overload. Because sewer lines are not completely water-tight, water from the soil leaks into sewer lines and also through open drain covers, he said.

City public works officials plan to inspect the sewer system in the next couple of weeks, going over it to detect leaks in an effort to reduce future rain-propelled discharges, Thomas said.

The Hale Avenue treatment plant usually processes about 14.5 million gallons of sewage per day from Escondido and Rancho Bernardo, and usually sends most of its output through a 14-mile pipeline directly to the Pacific Ocean to a point about a mile offshore.

At peak hours Tuesday, more than 30 million gallons per day were coming in, but the top capacity of the pipeline is 19 million gallons a day. Therefore a storage pond filled up and the excess was purposely emptied into Escondido Creek, Thomas said. Flow is still above normal but the intentional discharge ended Tuesday, he said.

The treatment process itself did not break down; the water discharged into the creek is of the same quality ---- secondary treatment ---- that gets sent to the ocean normally. However, environmental standards for water entering Escondido Creek are stricter than those for water entering the ocean.

Escondido has a permit to discharge up to 9 million gallons per day into the creek under wet weather conditions, but the water has to be treated at a tertiary level ---- rendering it essentially the same as drinking water, said Brian Kelley, an engineer at the San Diego Regional Water Quality Control Board. The differences between secondary and tertiary treated water are the removal of bacteria by either chlorination or ultraviolet irradiation and additional filtration, he said.

Escondido Creek winds through Escondido to Harmony Grove and Rancho Santa Fe before ending up in San Elijo Lagoon between Solana Beach and Cardiff. The lagoon empties into the ocean along Restaurant Row in Cardiff.

The county Department of Environmental Health has issued warnings for people to stay out of the ocean near the lagoon outlet for at least 72 hours after the rain ended; the advisories are routinely issued after every storm.

The city of Escondido still faces a fine of up to \$1.2 million for water-quality violations during the summer when city officials say illegal dumping of toxic substances by an unknown polluter caused the water treatment process to break down. The plant took more than four months to get back to regular operations.

It is possible that the city will face a fine for its discharge, but it is doubtful that the fine would be as large as \$1.2 million, Kelley said.

The discharge into the creek is a sign that Escondido's water treatment system is getting closer to capacity, according to former Escondido Mayor June Rady, who is president of the Escondido Creek Conservancy.

The city needs to prepare properly for the demands that continued growth and development in Escondido will put on the wastewater system, she said.

Contact staff writer Quinn Eastman at (760) 740-5412 or qeastman@nctimes.com.



California Regional Water Quality Control ATTACHMENT C-1

San Diego Region

Alan C. Lloyd, Ph.D.
Secretary for
Environmental
Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties
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Governor

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TO: Stan Martinson
Chief, Division of Water Quality
STATE WATER RESOURCES CONTROL BOARD

FROM: 
John H. Robertus
Executive Officer
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

DATE: January 31, 2005

**SUBJECT: DEVELOPMENT OF A DRAFT STATEWIDE POLICY FOR THE
IMPLEMENTATION OF THE STORM WATER PROGRAM**

Thank you for providing the opportunity for the San Diego Regional Water Quality Control Board (Regional Board) to be involved in the development of a draft policy for the implementation of the storm water program. As previously stated, our municipal storm water program is very important to water quality in our region, and the Regional Board intends to remain involved in the policy development to ensure that recent gains in our municipal storm water program are supported by the proposed storm water policy. Therefore, we would like to take this opportunity to offer some suggestions regarding the process proposed for the development of the policy.

The State Water Resources Control Board (State Board) has gathered extensive comments on the storm water program during its recent "listening sessions" conducted throughout the state. At the "listening session" in Diamond Bar, State Board staff also outlined a general process for development of the policy that could adversely affect the Regional Board's storm water program.

It is our understanding that the State Board does not plan to respond to the comments that were received at the "listening sessions." We believe that some form of response from the State Board to many of the comments is integral in preserving the progress made in the municipal storm water program statewide. Many of the comments heard at the Diamond Bar "listening session" raised issues that have long been resolved by the Regional Boards, the State Board, and the courts. Such issues should not be revisited by the proposed storm water policy.

At present it is unclear which of the storm water issues that have been raised during comments at the "listening sessions" will be addressed by the proposed policy. The Regional Boards and State Board, however, have previously taken clear positions on many of these issues. The State Board

should respond to such comments by making it clear that these issues have been previously resolved and will not be further addressed in the proposed storm water policy. To fail to respond to many of the comments received only promotes the impression that these issues remain on the table for reconsideration. Rehashing of such issues can stall municipal storm water programs statewide rather than move them forward. Clear identification of which issues will or will not be addressed by the proposed policy is needed.

Since the Regional Board has taken clear positions on many of the issues being raised during the proposed storm water policy development process, we would also like to request confirmation that we will be provided the opportunity to review and comment on any preliminary or draft policy documents that are developed prior to their issuance to the public. We have extensive experience addressing many of the issues that have been raised regarding the proposed policy, and believe we can provide useful input for any preliminary or draft documents prior to their release.

We would also like to suggest that a workgroup made up of Regional and State Board staff members be formed to work on the development of the proposed storm water policy. The fact that the Regional Boards will be tasked with implementing the proposed storm water policy makes it crucial that the Regional Boards be allowed to participate fully in its development. Such a workgroup would provide this opportunity.

Thank you for considering our suggestions. We plan to continue our involvement in the development of the proposed storm water policy and look forward to working with the State Board as the policy progresses.

CC: Executive Officers, Regions 1-8